



*Certificate of Service and Filing*

Pursuant to the Commission's Orders in Case No. 2020-00085, and in accord with all other applicable law, Counsel certifies that an electronic copy of the forgoing was served and filed by e-mail to the parties of record. Counsel further certifies that the responses set forth herein are true and accurate to the best of their knowledge, information, and belief formed after a reasonable inquiry.

This 29<sup>th</sup> day of January, 2024



---

Assistant Attorney General

Electronic Application of Kenergy Corp.  
for a General Adjustment of Rates  
Case No. 2023-00276  
AG's Responses to Staff's Data Requests

WITNESS / RESPONDENT RESPONSIBLE:  
RANDY FUTRAL

QUESTION No. 1  
Page 1 of 1

Refer to the Direct Testimony of Randy Futral (Futral Direct Testimony), page 10. Explain why non-routine right-of-way maintenance expenses should not be included in the proposed adjustment.

RESPONSE:

The routine right-of-way maintenance expenses represent the largest portion of the increase in account 593.300 as reflected in Table 2 on page 6 of Mr. Futral's Direct Testimony. These relate to controllable spend based on budgeted 6-year cycle circuit miles trimming and bid prices per circuit mile. These expenses should be viewed separately from all other right-of-way maintenance expenses. As also reflected in Table 4 on page 17 of Mr. Futral's Direct Testimony, the largest portion of the increase in non-routine right-of-way maintenance expenses relates to the specific job order expenses accounted for with a sub code of 434. Mr. Futral recommends a separate reduction for this non-routine expense of \$122,178 on page 18 of his Direct Testimony. Thus, Mr. Futral does recommend a separate reduction related to the non-routine right-of-way maintenance expenses.

Electronic Application of Kenergy Corp.  
for a General Adjustment of Rates  
Case No. 2023-00276  
AG's Responses to Staff's Data Requests

WITNESS / RESPONDENT RESPONSIBLE:  
RANDY FUTRAL

QUESTION No. 2  
Page 1 of 1

Refer to the Futral Direct Testimony, page 20. Confirm that the average employee count during the test year was approximately 125. If confirmed, explain why all five vacant positions should be removed, which would equal 123 employees.

RESPONSE:

Confirmed. The Company only had 123 employees for the last two months of the test year and until two months after the end of the test year. As stated by Mr. Futral on page 21 of his Direct Testimony, the average employee count for the last seven months of the test year was only 124. Mr. Futral relied on his interpretation of Commission precedent for his recommendation on page 22 of his Direct Testimony, citing the final order in Case No. 2023-00158. That precedent describes the employee count as of the end of the test year and does not rely upon an average test year count.

**AFFIDAVIT**

STATE OF GEORGIA            )

COUNTY OF FULTON         )

RANDY A. FUTRAL, being duly sworn, deposes and states: that the attached are his sworn responses and that the statements contained are true and correct to the best of his knowledge, information and belief.

  
\_\_\_\_\_  
Randy A. Futral

Sworn to and subscribed before me on this  
29th day of January 2024.

  
\_\_\_\_\_  
Notary Public

Jessica K Inman  
NOTARY PUBLIC  
Cherokee County, GEORGIA  
My Commission Expires 07/31/2027